

CITY COUNCIL
CITY OF WICHITA
KANSAS

City Council Meeting
August 1, 2000, 9:00 A.M.

City Hall
455 North Main

ORDER OF BUSINESS

- Call to Order
- Invocation – Rev. Robert Bull, Riverside Christian Church
- Pledge of Allegiance
- Approve the minutes of the previous meeting

AWARDS AND PRESENTATIONS

- Youth Community Service Awards – Wichita’s Promise.
- Proclamations

PUBLIC AGENDA

1. William E. Wasylik, Commander of Military of The Purple Heart - Dedication of Road, Sidewalk, Bridge, or Walking Path.
2. Robert Schumacher – R & R Enterprises – Door to Door Advertising.

UNFINISHED BUSINESS

3. [Agricultural](#) Delay of Special Assessment Payments for Water Distribution System. (District III)

An agricultural property-use exemption has been requested.

RECOMMENDED ACTION: Approve the request.

- *4. [ZON2000-00010](#) – Zone Change from “SF-6” Single-Family Residential to “LI” Limited Industrial District, Located on the Corner of Harry Street and Seville. (District V)

The MAPC reconsidered the zoning case as a review of neighborhood concerns. The applicant has requested “IP” Industrial Park zoning which has been unanimously approved by the MAPC.

RECOMMENDED ACTION: Approve the zone change, subject to additional recommendations; approve first reading of the Ordinance.

NEW BUSINESS

5. [2001 Annual Operating Budget and Revisions to the 2000 Budget.](#)

RECOMMENDED ACTION: Set the public hearing on Proposed 2001 Budget and the Revised 2000 Budget for August 15, 2000; approve first reading of the Ordinances.

6. [Petition](#) to Pave the North-South Alley Bounded by Mead, Mosley, 10th, and 11th Streets. (District VI)

The Petition represents two non-resident owners of 51.5 percent of the improvement district area.

RECOMMENDED ACTION: Approve the Petition; adopt the Resolution.

7. [Project Funding Requests to Kansas Department of Transportation \(KDOT\).](#)

The Kansas Department of Transportation requests project submittal for the KLINK Resurfacing, Geometric Improvement, and Economic Development Projects.

RECOMMENDED ACTION: Approve the proposed projects; authorize submittal of the requests to KDOT.

8. [Wind Mitigation Implementation.](#)

Action steps are proposed for mitigating destructiveness of strong winds.

RECOMMENDED ACTION: Authorize implementation of the programs.

9. Quarterly Financial Report for Period Ended June 30, 2000.

RECOMMENDED ACTION: Receive and file.

(11:00 a.m.)

10. Repair or Removal of Dangerous and Unsafe Structures.

The City Council adopted a Resolution providing for a public hearing at 11:00 a.m. for consideration of condemnation actions for the properties listed below:

	<u>Property Address</u>	<u>Council District</u>
1)	2506 North Market (Commercial)	VI
2)	939 North Ohio	I
3)	1027 North Green	I
4)	548 South Kessler	IV
5)	1615 South Hydraulic	I
6)	4072 East Cessna	III

RECOMMENDED ACTION: Close the public hearing; adopt the Resolutions.

CITY COUNCIL AGENDA

11. Board Appointments.

RECOMMENDED ACTION: Make the appointments.

12. Approval of Council Member Pisciotte's Travel to Washington, DC, to Attend National League of Cities Leadership Summit, August 17-19, 2000.

RECOMMENDED ACTION: Approve the expenditures.

13. Approval of Council Member Martz's Travel to Kodiak, AK, to Attend National League of Cities Human Development Steering Committee Meeting, September 7-9, 2000.

RECOMMENDED ACTION: Approve the expenditures.

CONSENT AGENDA

14. Report of the Board of Bids and Contracts Dated July 31, 2000.

RECOMMENDED ACTION: Receive and file report; approve the Contracts;
authorize the necessary signatures.

15. Applications for Licenses to Retail Cereal Malt Beverages:

<u>Renewal</u>	<u>2000</u>	<u>(Consumption off Premises)</u>
Henry R. Waguespack	Kwik Shop #714	4711 South Seneca
Henry R. Waguespack	Kwik Shop #722	3959 South Hydraulic
Henry R. Waguespack	Kwik Shop #731	710 West 29 th Street North
Henry R. Waguespack	Kwik Shop #748	2809 East Douglas
Henry R. Waguespack	Kwik Shop #772	2750 South Oliver
<u>New Establishment</u>	<u>2000</u>	<u>(Consumption off Premises)</u>
Dennis M. Maloney	Express Petroleum, LLC	441 South Greenwich Road
John Snodell	Flying Aces Smokeshop	3142 Southeast Boulevard

RECOMMENDED ACTION: Approve the licenses subject to Staff review and approval.

16. Subdivision Plans and Specifications.

RECOMMENDED ACTION: Approve and advertise for bids to be submitted
to the Board of Bids.

17. Preliminary Estimates:

- a) Water main replacement Davidson-Smithson Neighborhood - south of Central, west of Meridian. (448-89411/636095/779175) Traffic to be maintained during construction using flagpersons and barricades. (District IV, VI) - \$1,754,535.
- b) Sewer reconstruction at Central and Hillside - south of Central, west of Hillside. (468-83078/620275/669400) Traffic to be maintained during construction using flagpersons and barricades. (District I) - \$55,000.
- c) Rock Road accel/decel lane to serve part of Lot 1, Kellogg Mall Addition - Rock Road south of Douglas. (472-83222/765636/490747) Traffic to be maintained during construction using flagpersons and barricades. (District II) - \$600,000.
- d) Lateral 440, Southwest Interceptor Sewer to serve Barefoot Bay Second Addition - south of 29th Street North, west of Hoover. (468-83035/743810/480498) Not for advertisement. - \$46,604.

RECOMMENDED ACTION: Approve and file.

18. Easements:

- a) Utility easement dated July 17, 2000 from Anita Oberwortman, President of the YMCA of Wichita, Kansas, for a tract of land in Lot 4, Block 1, YMCA South Addition (Lat. 405, SWI - OCA#743837). No cost to City.
- b) Agreement dated March 21, 2000 from Roger F. Weidman for Lot 3, Block 2 Alcorn Industrial Addition to Wichita, Kansas (OCA #132001). No cost to City.

RECOMMENDED ACTION: Approve Easements; authorize the necessary signatures.

19. Petition for Public Improvement – Sanitary Sewer to Serve an Unplatted Tract and P.M.T. Addition, North of 36th Street North, at Armstrong. (District VI)

RECOMMENDED ACTION: Approve Petition; adopt the Resolution.

20. Claims Report.

The following claims were approved for payment by the Law Department during the month of June, 2000:

<u>Name of Claimant</u>	<u>Amount</u>
Arthur Stone	\$1,003.01
George Krkosska	\$ 589.82
Bryan Vincent for Alliance Ins.	\$ 495.00*
Western Resources KGE	\$2,756.00
Paul Garitson	\$ 19.65
Timothy Tyler	\$ 80.00
Larry J. Cowan	\$ 319.72
Sylvia Sue VanWye	\$ 800.00*
Paul E. Davidson	\$ 50.00*

*Settled for lesser amount than original claim.

RECOMMENDED ACTION: Approve and file.

21. Consideration of Street Closures/Uses.

RECOMMENDED ACTION: Approve the street closures/uses.

22. Agreements/Contracts:

- a) Nuisance abatement (lot cleanup) – Health Department.
- b) United Methodist Urban Ministry; Salvation Army – emergency shelter.

(Item 22 continued)

- c) [Youth](#) Activity Advancement Alliance Program.
- d) [CDBG](#) - YWCA – Women’s Crisis Center.
- e) [CDBG](#) - Community Housing Services - Wichita/Sedgwick County.
- f) [Beverage](#) vending - extension.
- g) [Municipal](#) Court remodel - amendment.
- h) [Central](#) from Zoo to McLean – supplemental. (Districts IV and VI)
- i) [Groundwater remediation](#) compliance and potentially responsible parties investigation. (District VI)
- j) [Investment](#) management software.
- k) [Mennonite](#) Housing Rehabilitation Services – CHDO Project.

RECOMMENDED ACTION: Approve Agreements/Contracts; authorize necessary signatures.

23. [Electric](#) System Improvements for Water Treatment Plant and Hess Pump Station – Change Order.

RECOMMENDED ACTION: Approve change order; authorize necessary signatures.

24. [Ultraviolet](#) Light Disinfection Equipment for Sewage Plants No. 2 and No. 3.

RECOMMENDED ACTION: Authorize purchase.

25. [Replacement](#) of Existing Sanitary Sewer System in Planeview. (District III)

RECOMMENDED ACTION: Approve project and publication of Notice of Intent; adopt the Resolution; authorize the necessary signatures.

26. [Local](#) Law Enforcement Block Grants.

RECOMMENDED ACTION: Approve Grant Application, budget, and receipt of funds; authorize the necessary signatures.

27. [Public Housing Drug Elimination Grant.](#)

RECOMMENDED ACTION: Approve acceptance of Grant award;
authorize the necessary signatures.

28. [Historic Preservation Fund Grant Agreements.](#)

RECOMMENDED ACTION: Receive and file.

29. [Proposal for Real Estate Services.](#) (District I)

RECOMMENDED ACTION: Approve proposal; authorize
preparation of an Agreement;
authorize the necessary signatures.

30. [Release of Hardship Deferral Lien for Special Assessments.](#)

RECOMMENDED ACTION: Approve Release of Lien; authorize
the necessary signatures.

31. [Extension of Letter of Intent for Industrial Revenue Bonds – Goldsmith's, Inc.](#) (District II)

RECOMMENDED ACTION: Approve extension ending
February 8, 2001.

32. [Banking Services Agreement.](#)

RECOMMENDED ACTION: Approve banking services
selection and renewal options;
adopt the Resolutions; authorize
the necessary signatures.

33. [Wichita Employees' Retirement System.](#)

RECOMMENDED ACTION: Approve selection for administrative
services.

34. Property Acquisition for the Cowskin and Calfskin Basin Property Acquisition Project. (District V)

- a) [11110 Hidden Lake](#).
- b) [11126 Hidden Lake](#).

RECOMMENDED ACTION: Approve budgets and Contracts;
authorize the necessary signatures.

35. Repair or Removal of Dangerous and Unsafe Structures.

	<u>Address</u>	<u>District</u>
1)	2326 South Topeka	III
2)	4931 North Salina	VI

RECOMMENDED ACTION: Adopt Resolution (s) setting the
Public Hearing on September 12, 2000,
at 11:00 a.m.

36. Passenger Rail Service Resolution.

RECOMMENDED ACTION: Adopt Resolution.

37. Z-3179 – Ordinance to Change Zoning – Approximately 1/8 Mile South of 21st Street North, East of Webb Road.
(District II)

RECOMMENDED ACTION: Approve first reading of the Ordinance.

38. Second Reading Ordinances: (First read July 18, 2000)

- a) Industrial Revenue Bonds – NMF America, Inc. (District II)

An Ordinance authorizing the City of Wichita, Kansas (the “Issuer”), to issue its Industrial Revenue Bonds, Series II, 2000 (NMF America, Inc.) in the aggregate principal amount of \$5,000,000 for the purpose of providing funds to acquire a site and construct improvements thereon and to acquire, purchase, and install certain machinery and equipment to be located in the City of Wichita, Kansas; prescribing the form and authorizing the execution of a Trust Indenture by and between the Issuer and Intrust Bank, N.A., Wichita, Kansas, as Trustee with respect to the Bonds; prescribing the form and authorizing the execution of a lease by and between NMF America, Inc., and the Issuer; prescribing the form of a Guaranty Agreement by and between NMF America, Inc., as Guarantor and Intrust Bank, N. A., Wichita, Kansas, as Trustee; and prescribing the form and authorizing the execution of a Bond Purchase Agreement by and between the issuer, NMF America Inc., and Stifel, Nicolaus & Company, Incorporated, as purchaser of the Bonds.

(Item 38 continued)

- b) Theft of motor fuel.

An Ordinance creating Section 5.42.090 of the Code of the City of Wichita, Kansas, pertaining to theft of motor fuel.

- c) Acquisition by eminent domain of tracts required for the West Kellogg Improvement Project. District V)

An Ordinance providing for the acquisition by eminent domain of certain real property and directing the City Attorney to file the appropriate proceedings in the District Court to accomplish such acquisition.

- d) A 00-08 – east and west of 143rd Street East, north and south of Harry. (District II)

An Ordinance including and incorporating certain blocks, parcels, pieces, and tracts of land within the limits and boundaries of the City of Wichita, Kansas, and relating thereto. A 00-08

- e) A 00-14 – east of Rock Road and north of 45th Street North. (District II)

An Ordinance including and incorporating certain blocks, parcels, pieces, and tracts of land within the limits and boundaries of the City of Wichita, Kansas, and relating thereto. A 00-14

RECOMMENDED ACTION: Adopt the Ordinances.

PLANNING AGENDA

NOTICE: Public hearing on planning items is conducted by the MAPC under provisions of State law. Adopted policy is that additional hearing on zoning applications will not be conducted by the City Council unless a statement alleging (1) unfair hearing before the MAPC, or (2) alleging new facts or evidence has been filed with the City Clerk by 5p.m. on the Wednesday preceding this meeting. The Council will determine from the written statement whether to return the matter to the MAPC for rehearing.

- *39. [VAC2000-00014](#) – Request to Vacate Portion of Utility Easement Located North of 21st Street North, East of Ridge Road. (District V)

Staff Recommendation: Approve.

MAPC Recommendation: Approve.

RECOMMENDED ACTION: Approve Vacation Order;
authorize the necessary signatures.

- *40. [VAC2000-00024](#) – Request to Vacate Alley Right-of-way Located ½ Block South of Harry, West of Green. (District III)

Staff Recommendation: Approve.

MAPC Recommendation: Approve.

RECOMMENDED ACTION: Approve Vacation Order;
authorize the necessary signatures.

- *41. [VAC2000-00025](#) – Request to Vacate Portion of Building Setback Located North of Oak Knoll (Old Pawnee) and Approximately ¼ Mile East of Rock Road. (District II)

Staff Recommendation: Approve.

MAPC Recommendation: Approve.

RECOMMENDED ACTION: Approve Vacation Order;
authorize the necessary signatures.

- *42. [DED 2000-15](#) – Dedication of a Utility Easement from Property Generally Located West of Seneca and South of 39th Street South. (District IV)

RECOMMENDED ACTION: Accept Dedication.

- *43. [DED 2000-16](#) – Dedication of Street Right-of-way for Property Generally Located South of Boston, East of Broadway. (District I)

RECOMMENDED ACTION: Accept Dedication.

- *44. [DED 2000-17](#) – Contingent Dedication of Street Right-of-way for Property Generally Located North of Harry, on the East Side of Broadway. (District I)

RECOMMENDED ACTION: Accept Dedication.

- *45. [S/D 00-14](#) Plat of Five Star Addition Located on the North Side of Central, East of Oliver. (District I)

Staff Recommendation: Approve.

MAPC Recommendation: Approve.

RECOMMENDED ACTION: Approve documents and Plat;
authorize the necessary signatures;
approve first reading of Z-3352 Ordinance.

- *46. [S/D 99-83](#) Plat of Harvest Chapel Second Addition Located on the Southeast Corner of Seneca and 55th Street South. (District IV)

Staff Recommendation: Approve.

MAPC Recommendation: Approve.

RECOMMENDED ACTION: Approve Documents and Plat;
authorize the necessary signatures;
Adopt the Resolution.

- *47. [SUB2000-20](#) Plat of Baha'I Addition Located on the West Side of Amidon, North of 32nd Street North. (District VI)

Staff Recommendation: Approve.

MAPC Recommendation: Approve.

RECOMMENDED ACTION: Approve Documents and Plat;
authorize the necessary signatures;
adopt the Resolution.

- *48. [SUB2000-21](#) Plat of Killenwood Pointe Addition Located South of 13th Street, on the East Side of Greenwich Road. (District II)

Staff Recommendation: Approve.

MAPC Recommendation: Approve.

RECOMMENDED ACTION: Approve Documents and Plat;
authorize the necessary signatures;
adopt the Resolutions; approve first
reading of the Z-2000-00007 Ordinance.

- *49. [ZON2000-00021](#) – Zone Change from “LC” Limited Commercial to “GC” General Commercial, Located South of McCormick and East of Tyler Road – 8410 West Kellogg. (District V)

Staff Recommendation: Approve.

MAPC Recommendation: Approve.

RECOMMENDED ACTION: Approve “GC” General Commercial
zoning; approve first reading of the
Ordinance.

*50. [A 00-12](#) – Annexation of 49th Street North from Arkansas to Alexander. (District VI)

RECOMMENDED ACTION: Approve annexation and first
reading of the Ordinance.

Adjournment
